REMARKS/ARGUMENTS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, claim 12 is added. Thus, claims 6-9 and 11-12 are pending for further examination.

Claims 6 and 11 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Martin et al. (U.S. Patent No. 5,355,302) in view of Frank et al. (U.S. Patent No. 5,341,350), Ludwig (U.S. Patent No. 5,689,641), Servi (U.S. Publication No. 2005/278904), Brown (U.S. Publication No. 2005/445295), and Hendricks (U.S. Patent No. 6,408,437). Claims 7-8 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Martin in view of Frank, Ludwig, Servi, Brown, and Hendricks and further in view of Bacon et al. (U.S. Patent No. 5,440,632), McGill, III et al. (U.S. Publication No. 2005/469573), Beaverton (U.S. Patent No. 5,210,854), and Nilsson et al. (U.S. Patent No. 5,410,703). Claim 9 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Martin in view of Frank, Ludwig, Servi, Brown and Hendricks, and further in view of Levinson (U.S. Publication No. 2005/404505). These six-, seven- and ten-way § 103 rejections are respectfully traversed.

Claim 6 calls for, *inter alia*, "a plurality of the adjustable settings being adjustable over a range predetermined by the authorized manager through the definition of a maximum of high and low levels for each system output source." None of the six-, seven- and ten-way combinations of references teaches or suggests this subject matter of claim 6. Thus, none of the six-, seven- and ten-way combinations of references renders obvious claim 6 (or its dependents).

The Office Action seems to suggest that Brown discloses the above-identified feature of claim 6 when such claim language is given its broadest reasonable construction. However, given the teachings of Brown -- especially in the paragraphs cited to in the Office Action -- it is clear

that this technical feature has been interpreted in a way that is unreasonable. Indeed, Brown merely discloses the setting of a good price for the purchase of the vended goods by the owner (e.g., at col. 5, lines 66-68), and also merely notes that the pricing software may be used to provide multiple-purchase or other special discounts (e.g., at col. 8, lines 39-41).

When these sections are read and properly understood, it becomes clear that Brown merely teaches that the owner of the device can set a defined price for the purchase of goods. It is true that the owner in Brown can change the price to reflect a discount. But merely specifying first and second fixed price points does not correspond to an adjustable setting over a range predetermined by the authorized manager through the definition of a maximum of high and low levels for each system output source. Brown's modification of price for a vended good is determined by a discount value indicative of a change from a first fixed price to a second fixed price. It simply cannot be understood to be an element selected from a predetermined range for the adjustment of prices.

Even if the above-identified claim language were seriously misinterpreted and the teachings and suggestions of Brown improperly stretched so as to (completely hypothetically) suggest that the price could not drop below a certain amount (e.g., a good could not be free or negative in value), such a "range limitation" would be specified by the pricing software programmer, and not the store employee. In such a case, the store employee merely selects an allowable fixed value for a discount. The store employee does not, for example, first set the range and then set the value from within the range. In other words, Brown does not teach or suggest "providing a system management function that enables an authorized manager of the jukebox device to locally access and selectively adjust adjustable operation settings for the jukebox device through use of the touchscreen display, a plurality of the adjustable settings being

adjustable over a range predetermined by the authorized manager through the definition of a maximum of high and low levels for each system output source" as called for in claim 6.

Of course, one must question whether "price" can be fairly considered an output source, at all. The ex post analysis in the Office Action is unreasonable at least because it makes this clearly erroneous claim element mapping.

In sum, Applicant respectfully submits that none of the references teaches or suggests the above-identified subject matter of claim 6 (or its dependents). Thus, Applicant respectfully requests reconsideration and withdrawal of the six-, seven- and ten-way § 103 rejections.

In view of the foregoing amendments and remarks, Applicant respectfully submits that all the claims are patentable and that the entire application is in condition for allowance. Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

New claim 12 has been added to encompass additional originally disclosed subject matter. The further features of claim 12 are not taught or suggested by the prior art of record. Thus, claim 12 should be allowable for at least this additional reason.

Respectfully submitted,

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